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1 BEFORE THE ARIZONA CORPORATION COMMISSION 2 COMMISSIONERS 2005 SEP 23 A II: 26 3 JEFF HATCH-MILLER, Chairman WILLIAM MUNDELL AZ CORP COMMISSION MARC SPITZER DOCUMENT CONTROL MIKE GLEASON KRISTIN K. MAYES 6 IN THE MATTER OF THE APPLICATION OF DOCKET NO. W-02500A-05-0443 GOODMAN WATER COMPANY FOR AN 7 EXTENSION OF ITS CERTIFICATE OF CONVENIENCE AND NECESSITY. 8 PROCEDURAL ORDER 9 BY THE COMMISSION: 10 On June 17, 2005, Goodman Water Company ("Goodman" or "Company") filed an 11 Application for an Extension of its Certificate of Convenience and Necessity ("CCN" or 12 "Certificate") with the Arizona Corporation Commission ("Commission"). 13 On July 12, 2005, Commission Utilities Division Staff ("Staff") notified the Company that the 14 application did not meet the sufficiency requirements of the Arizona Administrative Code ("A.A.C"). 15 Goodman filed additional documentation on August 23, 2005. 16 On September 16, 2005, Staff notified Goodman that the application was sufficient pursuant 17 to the requirements of the A.A.C. 18 Accordingly, pursuant to A.A.C. R14-3-101, the Commission now issues this Procedural 19 Order to govern the preparation and conduct of this proceeding. 20 IT IS THEREFORE ORDERED the hearing in the above-captioned matter shall be held on 21 December 8, 2005, at 10:00 a.m. or as soon thereafter as is practical, at the Commission's offices, 22 Room 222, 400 West Congress St., Tucson, Arizona 85701. 23 IT IS FURTHER ORDERED that intervention shall be in accordance with A.A.C. R14-3-105, 24 except that all motions to intervene must be filed on or before November 18, 2005. 25 IT IS FURTHER ORDERED that Applicant shall serve public notice of the hearing in this 26 matter, in the following form and style: 27 28

PUBLIC NOTICE OF HEARING ON THE APPLICATION OF GOODMAN WATER COMPANY FOR AN EXTENSION OF ITS CERTIFICATE OF CONVENIENCE AND NECESSITY Docket No. W-02500A-05-0443

On June 17, 2005, Goodman Water Company ("Applicant") filed an application with the Arizona Corporation Commission ("Commission") for an extension of its Certificate of Convenience and Necessity to provide water utility service within an area of Pinal County. If the application is granted, Applicant will be the exclusive provider of water service in the proposed service territory, and will be required by the Commission to provide service under rates and charges and terms and conditions established by the Commission. The application is available for inspection during regular business hours at the offices of the Commission in Phoenix, at 1200 West Washington Street, Phoenix, Arizona, and in Tucson, at 400 West Congress St. Suite 218, Tucson, Arizona and at the offices of the Applicant, [APPLICANT INSERT ADDRESS].

The Commission will hold a hearing on this matter beginning **December 8, 2005, at 10:00 a.m.**, at the Commission's offices, Room 222, 400 West Congress Street, Tucson, Arizona. Public comment will be taken on the first day of the hearing.

The law provides for an open public hearing at which, under appropriate circumstances, interested persons may intervene in the proceedings and participate as a party. You may have the right to intervene in the proceeding. Intervention will be in accordance with A.A.C. R14-3-105, except that all motions to intervene must be filed on or before **November 18, 2005.** Persons desiring to intervene must file a written motion to intervene with the Commission and send such motion to Applicant or its counsel and to all parties of record. The motion must, at the minimum, contain the following:

- 1. The name, address, and telephone number of the proposed intervenor and of any party upon whom service of documents is to be made if different from that of the intervenor.
- 2. A short statement of the proposed intervenor's interest in the proceeding (e.g., a customer or potential customer of the Applicant, a shareholder of the Applicant, etc.).
- 3. A statement certifying that a copy of the motion to intervene has been mailed to the Applicant or its counsel and to all parties of record in the case.

The granting of intervention, among other things, entitles a party to present sworn evidence at the hearing and to cross-examine other witnesses. However, <u>failure to intervene will not preclude any interested person or entity from appearing at the hearing and providing public comment on the applications</u>. You will not receive any further notice of this proceeding unless you request it.

If you have any questions about these applications, or want further information on intervention, you may contact the Consumer Services Section of the Commission at 1200 West Washington Street, Phoenix, Arizona 85007, or call 1-800-222-7000.

The Commission does not discriminate on the basis of disability in admission to its public meetings. Persons with a disability may request a reasonable accommodation

such as a sign language interpreter, as well as request this document in an alternative format, by contacting Linda Hogan, ADA Coordinator, voice phone number 602/542-3931, E-mail LHogan@cc.state.az.us. Requests should be made as early as possible to allow time to arrange the accommodation.

IT IS FURTHER ORDERED that Goodman shall publish the above notice in a newspaper of general circulation within the proposed extended service territory and shall mail to each property owner in the requested service territory a copy of this notice by first-class U.S. Mail, to begin as soon as possible and to be completed on or before **October 17, 2005.**

IT IS FURTHER ORDERED that Goodman shall file certifications of mailing and publication as soon as practicable after the mailing and publication has been completed.

IT IS FURTHER ORDERED that notice shall be deemed complete upon mailing and publication, notwithstanding the failure of an individual customer to read or receive the notice.

IT IS FURTHER ORDERED that Staff shall file its Staff Report and associated exhibits to be presented at the hearing on or before **November 18, 2005**.

IT IS FURTHER ORDERED that any objection or response by the Applicant to the Staff Report shall be made in writing and filed on or before **December 1, 2005.**

IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113-Unauthorized Communications) applies to this proceeding as the matter is now set for public hearing.

IT IS FURTHER ORDERED that the time periods specified herein shall not be extended pursuant to Rule 6(a) or (e) of the Rules of Civil Procedure.

IT IS FURTHER ORDERED that the Presiding Officer may rescind, alter, amend, or waive any portion of this Procedural Order either by subsequent Procedural Order or by ruling at hearing.

DATED this 22 nd day of September, 2005.

Mr. Christopher W. Hill Goodman Water Company

6340 N. Campbell Ave., Suite 278

this **221** day of September, 2005 to:

Copies of the foregoing mailed

Tucson, Arizona 85718

ADMINISTRATIVE LAW JUDGE

1	Mr. Michael McNulty
2	Lewis and Roca, LLP One South Church Avenue, Suite 700
3	Tucson, Arizona 85701
4	Mr. Christopher Kempley, Chief Counsel Legal Division
5	ARIZONA CORPORATION COMMISSION 1200 West Washington Street
6	Phoenix, Arizona 85007
7	Mr. Ernest Johnson, Director Utilities Division
8	ARIZONA CORPORATION COMMISSION 1200 West Washington Street
9	Phoenix, Arizona 85007
10	ARIZONA REPORTING SERVICE, INC. 2627 N. Third Street, Suite Three
11	Phoenix, Arizona 85004-1104
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13	By: Juanita Some
14	Secretary to Jane L. Rodda
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